

State of California
Regional Water Quality Control Board
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
June 11, 2003

ITEM: 10

SUBJECT: Revision of Waste Discharge Requirements: Otay Mesa Ventures II, L.L.C., Class I Waste Management Containment Cell, Former Omar Rendering Facility, San Diego County, Tentative Addendum No. 1 To Order 97-40 (Brian McDaniel)

PURPOSE: To formally transfer responsibility for compliance with Order 97-40 from Darling International, Inc. to Otay Mesa Ventures II, L.L.C. (Attachment No. 2 to this EOSR).

PUBLIC NOTICE: A notice of public hearing was added to the NOTIFICATIONS Section of the Regional Board Agenda for the May 14, 2003 meeting (Attachment No. 4 to this EOSR). This action satisfies the 45-day public notification of this action as required by CCR, Title 23, Chapter 15, Section 2592.

DISCUSSION: The Regional Board issued Waste Discharge Requirements (Order 97-40) to Darling International, Inc. for the closure and post-closure maintenance and monitoring of the Class I waste management containment cell at the Former Omar Rendering Facility.

In December 1999, Otay Mesa Ventures I assumed title to the former Omar Rendering Facility. On May 3, 2002, Otay Mesa Ventures I, L.L.C. transferred ownership of the site to Otay Mesa Ventures II, L.L.C.

On March 12, 2003, the Otay Mesa Ventures II, L.L.C. submitted a Property Mitigation Plan to the Regional Board. The Property Mitigation Plan describes a proposed change in land use of the property, including the Class I waste management containment cell, from open space to commercial uses with a paved automobile parking area. Provided the discharger continues to ensure the site complies with requirements of Order 97-40, Regional Board staff concludes that the proposed redevelopment plan should not adversely affect the integrity of the on-site Class I waste management containment cell.

On May 9, 2003, Otay Mesa Ventures II, L.L.C. executed a Corporate Guaranty of Financial Responsibility in the amount of

\$1,500,000. The Regional Board received a copy of the Corporate Guaranty of Financial Responsibility on May 12, 2003 (Attachment No. 3 to this EOSR). This financial assurance document was prepared at the request of the Regional Board staff to comply with CCR Title 23, Chapter 15, Section 2550 (b), to help ensure compliance with waste discharge requirements (Order 97-40), and compliance with cleanup and abatement Order R9-2003-0080.

LEGAL CONCERNS: None

SUPPORTING
DOCUMENTS: Attachment 1: Location Map
Attachment 2: Tentative Addendum No. 1 to Order 97-40
Attachment 3: Financial Assurance Documentation
Attachment 4: Notice of Public Hearing

SIGNIFICANT
CHANGES: None.

RECOMMENDATION: Regional Board staff recommends adoption of Tentative Addendum No. 1 to Order 97-40.